

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

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| Applicant's or agent's file reference<br>P803959/WO/1  | <b>FOR FURTHER ACTION</b>  | See item 4 below   |
| International application No.<br>PCT/EP2004/013483   | International filing date ( <i>day/month/year</i> )<br>27 November 2004 (27.11.2004) | Priority date ( <i>day/month/year</i> )<br>23 December 2003 (23.12.2003) |
| International Patent Classification (8th edition unless older edition indicated)<br>See relevant information in Form PCT/ISA/237 |  |  |
| Applicant<br>DAIMLERCHRYSLER AG  |  |  |

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).
  2. This REPORT consists of a total of 7 sheets, including this cover sheet.
- In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:
 

|  |   |
|--|---|
| <input checked="" type="checkbox"/> Box No. I  | Basis of the report   |
| <input checked="" type="checkbox"/> Box No. II | Priority  |
| <input type="checkbox"/> Box No. III           | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/> Box No. IV            | Lack of unity of invention  |
| <input checked="" type="checkbox"/> Box No. V  | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI            | Certain documents cited   |
| <input type="checkbox"/> Box No. VII           | Certain defects in the international application  |
| <input type="checkbox"/> Box No. VIII          | Certain observations on the international application   |
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

|   |  |
|---|--|
| The International Bureau of WIPO<br>34, chemin des Colombettes<br>1211 Geneva 20, Switzerland | Date of issuance of this report<br>29 August 2006 (29.08.2006)   |
| Facsimile No. +41 22 338 82 70  | Authorized officer<br><p style="text-align: center; font-weight: bold;">Yolaine Cussac</p> e-mail: pt11@wipo.int |

# PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference

**P803959/WO/1**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/EP2004/013483**

International filing date (day/month/year)

**27.11.2004**

Priority date (day/month/year)

**23.12.2003**

International Patent Classification (IPC) or both national classification and IPC

**G06F3/033**

Applicant

**DAIMLERCHRYSLER AG**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply, together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/013483

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
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International application No.

PCT/EP2004/013483

Box No. II

Priority

1. ☐ The following document has not yet been furnished:

☐ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/013483

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

|                               |        |            |     |
|-------------------------------|--------|------------|-----|
| Novelty (N)                   | Claims | <u>1-6</u> | YES |
|                               | Claims | _____      | NO  |
| Inventive step (IS)           | Claims | _____      | YES |
|                               | Claims | <u>1-6</u> | NO  |
| Industrial applicability (IA) | Claims | <u>1-6</u> | YES |
|                               | Claims | _____      | NO  |

2. Citations and explanations:

1 Reference is made to the following documents:

D1: DE 101 12 973 A1 (CAA AG) 2 October 2002  
(2002-10-02)

D2: EP-A-1 132 829 (HITACHI, LTD) 12 September  
2001 (2001-09-12)

D3: US-B1-6 590 595 (WAGNER ANNETTE ET AL) 8 July  
2003 (2003-07-08)

D4: "PAGER BAR" IBM TECHNICAL DISCLOSURE BULLETIN,  
IBM CORP. NEW YORK, US, vol. 37, No. 1,  
January 1994 (1994-01), page 483, XP000428855  
ISSN: 0018-8689

D5: US-A-5 550 969 (TORRES ET AL) 27 August 1996  
(1996-08-27)

2 The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claim 1 does not involve an inventive step within the meaning of Article 33(3).

Document D1 is regarded as the closest prior art to the subject matter of claim 1. It discloses (the references between parentheses relate to this

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

document): a control system for a motor vehicle  
(section [0037]), having

a manual operating means with several degrees  
of freedom for selecting and/or activating entries  
in a menu structure having a plurality of menu  
levels (section [0041]), and

a screen display having a plurality of display  
areas for displaying the menu structure, the display  
areas respectively comprising at least one field for  
displaying one of the entries (section [0040]),

where a plurality of entries are arranged in a  
first display area, in the form of a list, in at  
least one menu level in an active display area.  
(figure 4c and section [0065]), characterized in  
that

at least one additional field is provided for  
displaying the position of a currently selected  
entry in the list (see figure 4c, a scrollbar is  
arranged at the right-hand edge of the selection  
list. This indicates the position of the selection  
marker within the list)

The subject matter of claim 1 therefore differs from  
the known D1 by virtue of the following feature: the  
additional field can be activated and displayed when  
the number of entries exceeds the maximum number of  
entries which can be displayed in the list.

This feature is just one known property of  
scrollbars, for example known from the Microsoft  
Windows operating system.

The subject matter of claim 1 therefore does not  
involve an inventive step.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

It should also be considered that each of the documents D2-D5 shows at least one additional field for displaying the position of a selected entry in a selection list, and hence the subject matter of claim 1 does not reveal any inventive step over the disclosure of D2-D5 and the general specialist knowledge of a person skilled in the art in the field of user interfaces.

- 3 Dependent claims 2-6 do not contain any features which, in combination with the features of any claim to which they relate, meet the PCT requirements for inventive step, see documents D1-D5 and the relevant points in the text which are indicated in the search report.